

Union Calendar No. 391

115TH CONGRESS
2^D SESSION

H. R. 4266

[Report No. 115-526]

To clarify the boundary of Acadia National Park, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2017

Mr. POLIQUIN (for himself and Ms. PINGREE) introduced the following bill;
which was referred to the Committee on Natural Resources

JANUARY 25, 2018

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on November 7, 2017]

A BILL

To clarify the boundary of Acadia National Park, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Acadia National Park*
 5 *Boundary Clarification Act”.*

6 **SEC. 2. ACADIA NATIONAL PARK BOUNDARY CLARIFICA-**
 7 **TION.**

8 *Section 101 of Public Law 99–420 (16 U.S.C. 341*
 9 *note) is amended—*

10 *(1) in the first sentence, by striking “In order*
 11 *to” and inserting the following:*

12 *“(a) BOUNDARIES.—Subject to subsections (b) and*
 13 *(c)(2), to”;*

14 *(2) in the second sentence—*

15 *(A) by striking “The map shall be on file”*
 16 *and inserting the following:*

17 *“(c) AVAILABILITY AND REVISIONS OF MAPS.—*

18 *“(1) AVAILABILITY.—The map, together with the*
 19 *map described in subsection (b)(1) and any revised*
 20 *boundary map published under paragraph (2), if ap-*
 21 *plicable, shall be—*

22 *“(A) on file”; and*

23 *(B) by striking “Interior, and it shall be*
 24 *made” and inserting the following: “Interior;*
 25 *and*

1 “(B) made”;

2 (3) by inserting after subsection (a) (as des-
3 ignated by paragraph (1)) the following:

4 “(b) *SCHOODIC PENINSULA ADDITION.*—

5 “(1) *IN GENERAL.*—The boundary of the Park is
6 confirmed to include approximately 1,441 acres of
7 land and interests in land, as depicted on the map
8 entitled ‘Acadia National Park, Hancock County,
9 Maine, Schoodic Peninsula Boundary Revision’,
10 numbered 123/129102, and dated July 10, 2015.

11 “(2) *RATIFICATION AND APPROVAL OF ACQUI-
12 SIONS OF LAND.*—Congress ratifies and approves—

13 “(A) effective as of September 26, 2013, the
14 acquisition by the United States of the land and
15 interests in the land described in paragraph (1);
16 and

17 “(B) effective as of the date on which the al-
18 teration occurred, any alteration of the land or
19 interests in the land described in paragraph (1)
20 that is held or claimed by the United States (in-
21 cluding conversion of the land to fee simple in-
22 terest) that occurred after the date described in
23 subparagraph (A).”;

24 (4) in subsection (c) (as designated by para-
25 graph (2)(A)), by adding at the end the following:

1 “(2) *TECHNICAL AND LIMITED REVISIONS.*—Sub-
2 *ject to section 102(k), notwithstanding any other pro-*
3 *vision of this section, the Secretary of the Interior (re-*
4 *ferred to in this title as the ‘Secretary’), by publica-*
5 *tion in the Federal Register of a revised boundary*
6 *map or other description, may make—*

7 “(A) *such technical boundary revisions as*
8 *the Secretary determines to be appropriate to the*
9 *permanent boundaries of the Park (including*
10 *any property of the Park located within the*
11 *Schoodic Peninsula and Isle Au Haut districts)*
12 *to resolve issues resulting from causes such as*
13 *survey error or changed road alignments; and*

14 “(B) *such limited boundary revisions as the*
15 *Secretary determines to be appropriate to the*
16 *permanent boundaries of the Park to take into*
17 *account acquisitions or losses, by exchange, dona-*
18 *tion, or purchase from willing sellers using do-*
19 *nated or appropriated funds, of land adjacent to*
20 *or within the Park, respectively, in any case in*
21 *which the total acreage of the land to be so ac-*
22 *quired or lost is less than 10 acres, subject to the*
23 *condition that—*

1 “(i) any such boundary revision shall
2 not be a part of a more-comprehensive
3 boundary revision; and

4 “(ii) all such boundary revisions, con-
5 sidered collectively with any technical
6 boundary revisions made pursuant to sub-
7 paragraph (A), do not increase the size of
8 the Park by more than a total of 100 acres,
9 as compared to the size of the Park on the
10 date of enactment of this paragraph.”.

11 **SEC. 3. LIMITATION ON ACQUISITIONS OF LAND FOR ACA-**
12 **DIA NATIONAL PARK.**

13 Section 102 of Public Law 99-420 (16 U.S.C. 341
14 note) is amended—

15 (1) in subsection (a), in the matter preceding
16 paragraph (1), by striking “of the Interior (herein-
17 after in this title referred to as ‘the Secretary’)”;

18 (2) in subsection (d)(1), in the first sentence, by
19 striking “the the” and inserting “the”;

20 (3) in subsection (k)—

21 (A) by redesignating the subsection as para-
22 graph (4) and indenting the paragraph appro-
23 priately; and

24 (B) by moving the paragraph so as to ap-
25 pear at the end of subsection (b); and

1 (4) *by adding at the end the following:*

2 “(k) *REQUIREMENTS.—Before revising the boundaries*
3 *of the Park pursuant to this section or section 101(c)(2)(B),*
4 *the Secretary shall—*

5 “(1) *certify that the proposed boundary revision*
6 *will contribute to, and is necessary for, the proper*
7 *preservation, protection, interpretation, or manage-*
8 *ment of the Park;*

9 “(2) *consult with the governing body of each*
10 *county, city, town, or other jurisdiction with primary*
11 *taxing authority over the land or interest in land to*
12 *be acquired regarding the impacts of the proposed*
13 *boundary revision;*

14 “(3) *obtain from each property owner the land*
15 *or interest in land of which is proposed to be acquired*
16 *for, or lost from, the Park written consent for the pro-*
17 *posed boundary revision; and*

18 “(4) *submit to the Acadia National Park Advi-*
19 *sory Commission established by section 103(a), the*
20 *Committee on Natural Resources of the House of Rep-*
21 *resentatives, the Committee on Energy and Natural*
22 *Resources of the Senate, and the Maine Congressional*
23 *Delegation a written notice of the proposed boundary*
24 *revision.*

1 “(l) *LIMITATION.*—*The Secretary may not use the au-*
2 *thority provided by section 100506 of title 54, United States*
3 *Code, to adjust the permanent boundaries of the Park pur-*
4 *suant to this title.*”.

5 **SEC. 4. ACADIA NATIONAL PARK ADVISORY COMMISSION.**

6 (a) *IN GENERAL.*—*The Secretary shall reestablish and*
7 *appoint members to the Acadia National Park Advisory*
8 *Commission in accordance with section 103 of Public Law*
9 *99–420 (16 U.S.C. 341 note).*

10 (b) *CONFORMING AMENDMENT.*—*Section 103 of Public*
11 *Law 99–420 (16 U.S.C. 341 note) is amended by striking*
12 *subsection (f).*

13 **SEC. 5. REPEAL OF CERTAIN PROVISIONS RELATING TO**
14 **ACADIA NATIONAL PARK.**

15 *The following are repealed:*

16 (1) *Section 3 of the Act of February 26, 1919 (40*
17 *Stat. 1178, chapter 45).*

18 (2) *The first section of the Act of January 19,*
19 *1929 (45 Stat. 1083, chapter 77).*

20 **SEC. 6. MODIFICATION OF USE RESTRICTION.**

21 *The Act of August 1, 1950 (64 Stat. 383, chapter 511),*
22 *is amended—*

23 (1) *by striking “That the Secretary” and insert-*
24 *ing the following:*

1 **“SECTION 1. CONVEYANCE OF LAND IN ACADIA NATIONAL**
2 **PARK.**

3 *“The Secretary”*; and

4 *(2) by striking “for school purposes” and insert-*
5 *ing “for public purposes, subject to the conditions that*
6 *use of the land shall not degrade or adversely impact*
7 *the resources or values of Acadia National Park and*
8 *that the land shall remain in public ownership for*
9 *recreational, educational, or similar public purposes”.*

10 **SEC. 7. CONTINUATION OF CERTAIN TRADITIONAL USES.**

11 *Title I of Public Law 99–420 (16 U.S.C. 341 note)*
12 *is amended by adding at the end the following:*

13 **“SEC. 109. CONTINUATION OF CERTAIN TRADITIONAL USES.**

14 *“In accordance with this section, the Secretary shall*
15 *allow for the traditional harvesting of marine worms,*
16 *clams, other shellfish, and other marine species (as defined*
17 *in chapter 601 of title 12 of the Maine Revised Statutes*
18 *(as in effect on the date of enactment of this section)), in*
19 *accordance with the laws (including regulations and appli-*
20 *cable judicial interpretations) of the State of Maine—*

21 *“(1) within the boundaries of the Park; and*

22 *“(2) on any land located outside of the bound-*
23 *aries of the Park with respect to which the Secretary*
24 *has or obtains a property interest of any type pursu-*
25 *ant to this title.”.*

1 **SEC. 8. CONVEYANCE OF CERTAIN LAND IN ACADIA NA-**
2 **TIONAL PARK TO THE TOWN OF BAR HARBOR,**
3 **MAINE.**

4 (a) *IN GENERAL.*—*The Secretary shall convey to the*
5 *Town of Bar Harbor all right, title, and interest of the*
6 *United States in and to the .29-acre parcel of land in Aca-*
7 *dia National Park identified as lot 110–055–000 on the tax*
8 *map of the Town of Bar Harbor for section 110, dated April*
9 *1, 2015, to be used for a solid waste transfer facility.*

10 (b) *REVERSION.*—*If the land conveyed under sub-*
11 *section (a) is used for a purpose other than the purpose*
12 *described in that subsection, the land shall, at the discretion*
13 *of the Secretary, revert to the United States.*

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